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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/614,509	07/08/2003	Masao Ohmori	116470	7584
25944	7590	03/09/2005	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			AL NAZER, LEITH A	
			ART UNIT	PAPER NUMBER
			2821	

DATE MAILED: 03/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/614,509	Applicant(s) OHMORI, MASAO	
	Examiner Leith A. Al-Nazer	Art Unit 2821	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 December 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-17 is/are allowed.
- 6) ☒ Claim(s) 18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>08 July 2003</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Upon further consideration, Examiner has withdrawn the restriction requirement set forth in the Requirement for Restriction/Election mailed on 16 November 2004. Accordingly, all pending claims have been examined in this Office Action.

### ***Allowable Subject Matter***

2. Claims 1-17 are allowed.
3. The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record fails to teach or suggest one or more of the limitations found in independent claims 1, 4, 8, and 14. U.S. Patent Application Publication No. 2002/0122308 to Ikeda teaches a similar system to that of the present application. However, with respect to independent claims 1 and 4, Ikeda, as well as the other prior art of record, fails to teach or suggest a test current supply unit adapted to supply a test current to the light-emitting element when the light-emitting element is switched off. With respect to independent claims 8 and 12, Ikeda, as well as the other prior art of record, fails to teach or suggest a test current supply unit adapted to supply a test current to the light-emitting element when the light-emitting element is switched off; and an arithmetic unit adapted to carry out an arithmetic operation for respective terminal

voltages of the plurality of light-emitting elements supplied with the test current from the test current supply unit.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claim 18 is rejected under 35 U.S.C. 102(a) as being anticipated by U.S. Patent Application Publication No. 2002/0122308 to Ikeda.

With respect to claim 18, Ikeda teaches a light-emitting element driving device comprising a first control unit (41 in figure 22) adapted to control a drive voltage applied from a voltage source to a light-emitting element; and a second control unit (42 in figure 22) adapted to control a drive current supplied from a current source to the light-emitting element, wherein the first control unit and the second control unit controls an light intensity of a light beam emitted from the light-emitting element, wherein the first control unit sets a voltage of the voltage source in accordance with a voltage generated in the light-emitting element as a result of the control of the drive current by the second control unit (paragraphs 0208-0232).

***Citation of Pertinent References***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patent documents further show the state of the art with respect to light-emitting element driving devices:

- a. U.S. Patent No. 6,304,066 to Wilcox et al.
- b. U.S. Patent No. 6,636,190 to Hirakata et al.
- c. U.S. Patent Application Publication No. 2002/0190779
- d. U.S. Patent Application Publication No. 2003/0035451
- e. U.S. Patent Application Publication No. 2004/0114649
- f. JP 09-272223 to Kimizuka Junichi et al.
- g. JP 2001-036186 to Tanase Hironobu et al.

***Communication Information***

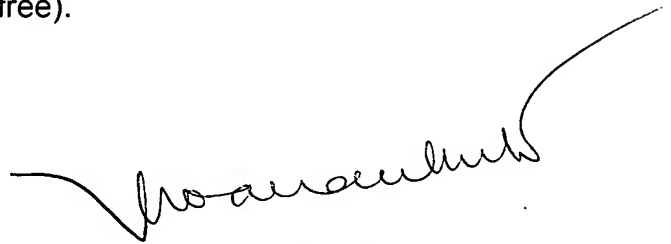
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leith A. Al-Nazer whose telephone number is 571-272-1938. The examiner can normally be reached on Monday-Friday, 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571-272-1834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2821

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LA

A handwritten signature in black ink, appearing to read 'Hoanganh Le', with a long, sweeping horizontal line extending to the left and a curved line extending upwards and to the right.

**Hoanganh Le**  
**Primary Examiner**